

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF NEVADA**

DONNY COOPER,

Petitioner,

vs.

STATE OF NEVADA, *et al.*,

Respondents.

2:10-cv-01832-JCM-RJJ

**ORDER**

This action is a petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, by Donny Cooper, who is represented by counsel. The petition was filed on October 20, 2010. (Docket #1). The petition shall be served on respondents. Respondents shall file a response to the petition within 45 days, as set forth at the conclusion of this order. The court notes that a petition for federal habeas corpus should include all claims for relief of which petitioner is aware. If petitioner fails to include such a claim in his petition, he may be forever barred from seeking federal habeas relief upon that claim. *See* 28 U.S.C. §2254(b) (successive petitions).

**IT IS THEREFORE ORDERED** that the clerk shall **ELECTRONICALLY SERVE** the petition and all attached exhibits upon the respondents.

**IT IS FURTHER ORDERED** that respondents shall have **forty-five (45)** days from the date of entry of this order within which to answer, or otherwise respond to, the petition. In their

1 answer or other response, respondents shall address all claims presented in the petition. Respondents  
2 shall raise all potential affirmative defenses in the initial responsive pleading, including lack of  
3 exhaustion and procedural default. **Successive motions to dismiss will not be entertained.** If an  
4 answer is filed, respondents shall comply with the requirements of Rule 5 of the Rules Governing  
5 Proceedings in the United States District Courts under 28 U.S.C. §2254. If an answer is filed,  
6 petitioner shall have **forty-five (45) days** from the date of service of the answer to file a reply.

7 **IT IS FURTHER ORDERED** that, henceforth, petitioner shall serve upon the  
8 Attorney General of the State of Nevada a copy of every pleading, motion, or other document he  
9 submits for consideration by the court. Petitioner shall include with the original paper submitted for  
10 filing a certificate stating the date that a true and correct copy of the document was mailed to the  
11 attorney general. The court may disregard any paper that does not include a certificate of service.  
12 After respondents appear in this action, petitioner shall make such service upon the particular deputy  
13 attorney general assigned to the case.

14 DATED this 29th day of October, 2010.

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16 UNITED STATES DISTRICT JUDGE